

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.T.SANKARAN

FRIDAY, THE 31ST AUGUST 2007 / 9TH BHADRA 1929

Bail Appl..No. 5343 of 2007

C.R.NO.6/07 OF OTTAPALAM FOREST RANGE

PETITIONER/FOURTH ACCUSED:

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P. BHASKARAN, AGED 58 YEARS,  
S/O. KUNJIKUTTAN, PACHERY HOUSE, KALIKKAVU,  
MALAPPURAM DISTRICT.

BY ADV. SRI.G.SREEKUMAR (CHELUR)  
SRI.K.RAVI (PARIYARATH)

RESPONDENTS: STATE/COMPLAINANT:

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STATE OF KERALA,  
REPRESENTED BY THE FOREST RANGE OFFICER,  
OTTAPALAM THROUGH THE PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.NOBLE MATHEW

THIS BAIL APPLICATION HAVING BEEN FINALLY HEARD  
ON 31/08/2007, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:

**K.T. SANKARAN, J.**

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B.A. NO. 5343 OF 2007  
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**Dated this the 31<sup>st</sup> day of August, 2007**

**ORDER**

This is an application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

2. The petitioner is accused No.4 in C.R. No.6 of 2007 of Ottapalam Forest Range.

3. The offences alleged against the petitioner and other accused persons are under Sections 29, 39, 40 and 51 of the Wild Life (Protection) Act, 1972. It is alleged that on 7.7.2007, the Flying Squad Forest Officer, Nilambur had arrested accused Nos.1 and 2 while they were dealing with tiger skins. On investigation, it is revealed that petitioner was also involved in the offences.

3. The prosecution case against the petitioner is that petitioner is the person who has struck the deal by acting as a middle man. The tiger skin is worth Rs.10 lakhs.

4. It is well settled that anticipatory bail is to be granted only in rare and exceptional cases. In the facts and circumstances of the case, I am not inclined to exercise my jurisdiction under Section 438 of the Code of Criminal Procedure.

The Bail Application is accordingly dismissed.

**(K.T.SANKARAN)**  
**Judge**

ahz/